

**POLICY ISSUE**  
**NOTATION VOTE**

**RESPONSE SHEET**

**TO:** Carrie M. Safford, Secretary

**FROM:** Commissioner Marzano

**SUBJECT:** SECY-23-0091: Petition For Rulemaking on Licensing Safety Analysis For Loss-of-Coolant Accidents (PRM-50-124; NRC-2022-0178)

Approved \_\_\_\_ Disapproved  X  Abstain \_\_\_\_ Not Participating \_\_\_\_

**COMMENTS:** Below  X  Attached \_\_\_\_ None \_\_\_\_

I appreciate the detailed petition for rulemaking submitted by the petitioner and the NRC staff for its evaluation of the petition, including consideration of the public comments on the petition. I agree with Commissioners Caputo and Hanson that it is prudent to adopt a risk-informed and performance-based regulatory approach for emergency core cooling system performance rather than rely on a deterministic approach as suggested by the petitioner. Therefore, I disapprove of the staff's recommendation to consider PRM-50-124 through rulemaking. Instead, the staff should deny this petition for rulemaking and close the docket for PRM-50-124. Accordingly, the staff should revise both the *Federal Register* notice and the letter, informing the petitioner of the Commission's decision and the opportunity to comment on the ongoing rulemaking on Increased Enrichment of Conventional and Accident Tolerant Fuel Designs for Light-Water Reactors.

**Entered in STAR**

Yes  X   
No \_\_\_\_

\_\_\_\_\_  
**Signature**  
**Matthew J. Marzano**

\_\_\_\_\_  
**Date** **05/15/2025**